



CUSTOMER NO. 22186

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Attorney Docket No. 1058.001In re application of: Bruce BerrySerial No.: 10/627,009Group Art Unit: 3727Filed: 07/25/03Examiner: Lien NgoPhone No.: 571-272-4545For: Cable Tie Convenience Container**DECLARATION UNDER 37 C.F.R. § 1.132**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. I, Bruce Berry, reside at 119 Waring Drive, Downingtown, Pennsylvania 19335-1382. I am the inventor of the subject matter of the current patent application and I am familiar with the prosecution of this application.
2. This Declaration is being submitted to show that the features recited in the claims provide advantageous, unexpected properties in comparison with the prior art cited by the Examiner.
3. Currently amended claim 1 is directed to a container for tie wraps, comprising at least front and rear rectangular surfaces. The front and rear rectangular surfaces are coupled along three of their four edges to form at least one pocket with a top opening along the fourth edge. The front surface includes a diamond-shaped opening having four corners, wherein the diamond-shaped opening is positioned near the center of the front surface and oriented such that a first line defined by a first pair of opposing corners of the diamond-shaped opening is substantially parallel to top and bottom edges of the front and rear surfaces, the diamond-shaped opening being adapted for accessing tie wraps that are carried in the pocket. The rear surface is coupled to an attachment arrangement that enables the container to be secured to another object. The diamond-shaped opening in the front surface has a size, shape, orientation, and position that enable a tie wrap oriented substantially perpendicular to the first line to be efficiently removed from the pocket by a person reaching into the pocket through the diamond-shaped opening with a thumb and finger oriented corresponding to the first pair of opposing corners of the diamond-shaped opening, grabbing the tie wrap along its length, and pulling the tie wrap through the diamond-shaped

opening such that the tie wrap deforms from its normally linear configuration into a folded configuration oriented corresponding to the other pair of opposing corners of the diamond-shaped opening, such that other tie wraps remain within the pocket.

4. During the evaluation of different prototype designs for tie-wrap containers, I discovered that containers having diamond-shaped openings of the size, position, and orientation recited in currently amended claim 1 are more durable than containers having circular or oval openings with comparable sizes and positions.
5. In particular, the materials used to reinforce the openings evidenced less wear-and-tear for diamond-shaped openings than for circular and oval openings after similar repeated use in removing individual tie wraps from the prototype containers over an equivalent period of time.
6. Prior to the design, manufacture, and testing of the prototypes, I did not expect diamond-shaped openings to be more durable than circular or oval openings.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

10/3/05
Date

Bruce Berry
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